

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

CORY ANTHONY SIMPSON,

Plaintiff

v.

Civil Action No. 2:09-0024

EMPLOYEES AT SOUTH CENTRAL
REGIONAL JAIL,

Defendants

MEMORANDUM OPINION AND ORDER

This action was previously referred to Mary E. Stanley, United States Magistrate Judge, who has submitted her Proposed Findings and Recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B).

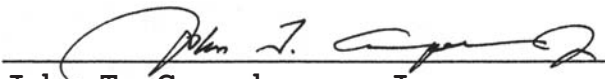
The court has reviewed the Proposed Findings and Recommendation entered by the magistrate judge on April 7, 2009. The magistrate judge recommends dismissal of plaintiff's complaint on the ground that his request for relief is now moot. The magistrate judge further recommends that plaintiff's Application to Proceed Without Prepayment of Fees also be denied as moot. The plaintiff has not objected to the Proposed Findings and Recommendation. The court concludes the recommended disposition is correct.

Accordingly, it is ORDERED that:

1. The Proposed Findings and Recommendation be, and they hereby are, adopted by the court;
2. Plaintiff's Application to Proceed Without Prepayment of Fees be, and it hereby is, denied as moot; and
3. This action be, and it hereby is, dismissed without prejudice as moot.

The Clerk is directed to forward copies of this written opinion and order to the pro se plaintiff, all counsel of record, and the United States Magistrate Judge.

DATED: April 28, 2009



John T. Copenhaver, Jr.
United States District Judge